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OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

THIRTY-THIRD LEGISLATIVE DAY
FRIDAY, FEBRUARY 13, 2009

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Goedde and Acting Senator Sagness, absent and formally excused by the Chair; and Senators Bair, Coiner, and Siddoway, absent and excused.

Prayer was offered by Chaplain Henry Webb.

The Pledge of Allegiance was led by Paige Retter, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 12, 2009, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senators Bair and Siddoway were recorded present at this order of business.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SJR 101 BY STATE AFFAIRS COMMITTEE A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 10, ARTICLE IX, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO THE UNIVERSITY OF IDAHO TO PERMIT THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO TO IMPOSE RATES OF TUITION AND FEES ON ALL STUDENTS ENROLLED IN THE UNIVERSITY OF IDAHO AS AUTHORIZED BY LAW; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW AND DIRECTING THE SECRETARY OF STATE

TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

[SJR 101](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 13, 2009

The JUDICIARY AND RULES Committee reports that [S 1082](#), [S 1083](#), [S 1084](#), [S 1085](#), and [SCR 103](#) have been correctly printed.

DARRINGTON, Chairman

[S 1082](#) and [S 1083](#) were referred to the Health and Welfare Committee.

[S 1084](#) was referred to the State Affairs Committee.

[S 1085](#) was referred to the Education Committee.

[SCR 103](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Desk for one legislative day.

February 12, 2009

The AGRICULTURAL AFFAIRS Committee reports out [S 1052](#) and [S 1070](#) with the recommendation that they do pass.

CORDER, Chairman

[S 1052](#) and [S 1070](#) were filed for second reading.

February 12, 2009

The JUDICIARY AND RULES Committee reports out [S 1062](#) with the recommendation that it do pass.

DARRINGTON, Chairman

[S 1062](#) was filed for second reading.

February 12, 2009

The COMMERCE AND HUMAN RESOURCES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Don Dietrich as Director of the Department of Commerce, term to continue at the pleasure of the Governor.

ANDREASON, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 12, 2009

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1075](#) with the recommendation that it do pass.

ANDREASON, Chairman

[S 1075](#) was filed for second reading.

February 12, 2009

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 9](#) and [H 64](#) with the recommendation that they do pass.

HILL, Chairman

[H 9](#) and [H 64](#) were filed for second reading.

February 13, 2009

The EDUCATION Committee reports out [H 18](#) with the recommendation that it do pass.

GOEDDE, Chairman

[H 18](#) was filed for second reading.

February 13, 2009

The STATE AFFAIRS Committee reports out [H 28](#) with the recommendation that it do pass.

MCKENZIE, Chairman

[H 28](#) was filed for second reading.

Senator Coiner was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 12, 2009

Dear Mr. President:

I transmit herewith [H 30](#), [H 80](#), and [H 1](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 30](#), [H 80](#), and [H 1](#) were filed for first reading.

February 12, 2009

Dear Mr. President:

I return herewith [SCR 102](#), which has passed the House.

ALEXANDER, Chief Clerk

[SCR 102](#) was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1086

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLE REGISTRATION; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-420H, IDAHO CODE, TO PROVIDE FOR AN IDAHO FREEMASON LICENSE PLATE.

S 1087

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO AN INCREASE IN MOTOR VEHICLE PERMIT AND SERVICE FEES; AMENDING SECTION 49-202, IDAHO CODE, TO INCREASE FEES FOR SERVICES RELATING TO ISSUING TITLES AND REGISTRATIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-306, IDAHO CODE, TO INCREASE DRIVER'S LICENSE AND PERMIT FEES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-328, IDAHO CODE, TO INCREASE FEES FOR REINSTATEMENT OF LICENSES, TO DELETE ARCHAIC LANGUAGE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-523, IDAHO CODE, TO INCREASE FEES FOR ISSUING TEMPORARY PERMITS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-1224, IDAHO CODE, TO INCREASE FEES FOR CERTIFICATION OF SELF-INSURANCE; AMENDING SECTION 49-1607, IDAHO CODE, TO INCREASE FEES FOR ISSUING CERTAIN LICENSES; AMENDING SECTION 49-2444, IDAHO CODE, TO INCREASE FEES FOR IDENTIFICATION CARDS; AND PROVIDING AN EFFECTIVE DATE.

S 1088

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO SPECIAL MOTOR VEHICLE LICENSE PLATES; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-420H, IDAHO CODE, TO ESTABLISH THE EARTH SCIENCES AND LAPIDARY SPECIAL LICENSE PLATE PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

S 1089

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES AND PASSENGER SAFETY FOR CHILDREN; AMENDING SECTION 49-672, IDAHO CODE, TO DELETE EXEMPTIONS.

S 1090
BY TRANSPORTATION COMMITTEE
 AN ACT

RELATING TO MOTOR VEHICLE FINANCIAL RESPONSIBILITY; AMENDING SECTION 49-1223, IDAHO CODE, TO PROVIDE ADDITIONAL EXCEPTIONS FROM THE CHAPTER; AND DECLARING AN EMERGENCY.

S 1091
BY LOCAL GOVERNMENT AND TAXATION COMMITTEE
 AN ACT

RELATING TO URBAN RENEWAL; AMENDING SECTION 50-2908, IDAHO CODE, TO REVISE APPLICATION FOR SCHOOL LEVIES FOR SUPPLEMENTAL MAINTENANCE AND OPERATION APPROVED AFTER DECEMBER 31, 2007, FOR CALCULATING THE TAX RATE; AND DECLARING AN EMERGENCY.

S 1092
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
 AN ACT

RELATING TO MUFFLERS AND PREVENTION OF NOISE; AMENDING SECTION 49-937, IDAHO CODE, TO PROVIDE THAT A MOTOR VEHICLE EQUIPPED WITH A GLASS PACK MUFFLER ADAPTED WITH A BUTTERFLY VALVE IN THE CORE IS NOT LAWFUL TO BE OPERATED ON THE HIGHWAYS OF THE STATE AND TO PROVIDE PENALTIES; AND DECLARING AN EMERGENCY.

S 1093
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
 AN ACT

RELATING TO PAYDAY LOANS; AMENDING SECTION 28-46-402, IDAHO CODE, TO PROVIDE THAT A LENDER THAT IS NOT A SUPERVISED FINANCIAL ORGANIZATION MAY NOT DEPOSIT A CONSUMER'S CHECK, WITHDRAW FUNDS ELECTRONICALLY FROM A CONSUMER'S ACCOUNT OR OTHERWISE COLLECT THE PRINCIPAL OF, INTEREST ON, OR ANY FEES OR CHARGES FOR, A LOAN SUBJECT TO THIS PART IF AT THE TIME THE LENDER MAKES THE LOAN, THE LENDER DOES NOT HAVE A CURRENT AND VALID LICENSE TO MAKE LOANS IN THIS STATE; AND DECLARING AN EMERGENCY.

S 1094
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
 AN ACT

RELATING TO THE DIRECTOR OF THE DEPARTMENT OF INSURANCE; AMENDING SECTION 41-335, IDAHO CODE, TO REVISE THE CONTENTS OF ANNUAL STATEMENTS OF INSURERS AND TO PROVIDE THAT THEY ARE PUBLIC RECORDS AVAILABLE TO THE PUBLIC.

S 1095
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
 AN ACT

RELATING TO WORKER'S COMPENSATION; AMENDING SECTION 72-803, IDAHO CODE, TO REVISE THE MANNER IN WHICH CERTAIN FEES SHALL BE ADJUSTED EACH

YEAR BY PROVIDING THAT THE FEES SHALL BE ADJUSTED BY THE INDUSTRIAL COMMISSION AND TO DELETE ARCHAIC VERBIAGE.

S 1096
BY COMMERCE AND HUMAN RESOURCES COMMITTEE
 AN ACT

RELATING TO PROCUREMENT REQUIREMENTS; AMENDING SECTION 67-2803, IDAHO CODE, TO PROVIDE AN EXCEPTION TO CERTAIN PROCUREMENT REQUIREMENTS FOR THE PROCUREMENT OF USED PERSONAL PROPERTY BY IRRIGATION DISTRICTS AND THEIR BOARDS OF CONTROL.

S 1097
BY TRANSPORTATION COMMITTEE
 AN ACT

RELATING TO PUBLIC HIGHWAYS AND UTILITIES; AMENDING CHAPTER 2, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-210, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT, TO PROVIDE THAT CERTAIN PUBLIC HIGHWAY AGENCIES OR ANY PRIVATE PARTY WORKING WITH SUCH AGENCY ON A PROJECT THAT MAY REQUIRE RELOCATION OF UTILITY FACILITIES SHALL PERMIT THE AFFECTED UTILITY TO PARTICIPATE IN PROJECT DEVELOPMENT MEETINGS, TO PROVIDE FOR WRITTEN NOTICE TO THE AFFECTED UTILITY AND TO PROVIDE FOR A MEETING, TO PROVIDE THAT CERTAIN PUBLIC HIGHWAY AGENCIES AND AFFECTED UTILITIES SHALL USE BEST EFFORTS TO ELIMINATE OR MINIMIZE CERTAIN COSTS, TO PROVIDE THAT FAILURE BY THE AFFECTED UTILITY TO RESPOND TO WRITTEN NOTICE NOT AFFECT THE PUBLIC HIGHWAY AGENCY'S ABILITY TO PROCEED WITH THE PROJECT, TO PROVIDE DEFINITIONS AND TO PROVIDE LIMITS TO APPLICATION.

S 1098
BY TRANSPORTATION COMMITTEE
 AN ACT

RELATING TO OFF-HIGHWAY VEHICLES; AMENDING SECTION 41-2502, IDAHO CODE, TO PROVIDE EXCEPTIONS TO UNINSURED MOTORIST AND UNDERINSURED MOTORIST COVERAGE FOR AUTOMOBILE INSURANCE; AMENDING SECTION 49-102, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 49-120, IDAHO CODE, TO DEFINE A TERM; AMENDING SECTION 49-122, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION 49-123, IDAHO CODE, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-302, IDAHO CODE, TO PROVIDE AN ADDITIONAL EXEMPTION FROM LICENSURE; AMENDING SECTION 49-402, IDAHO CODE, TO REVISE WHERE THE OPERATION OF CERTAIN VEHICLES REQUIRES A RESTRICTED VEHICLE LICENSE PLATE FEE TO BE PAID, TO PROVIDE A CERTAIN EXEMPTION TO APPLY TO SPECIALTY OFF-HIGHWAY VEHICLES USED FOR SPECIFIED PURPOSES, TO PERMIT NONRESIDENTS TO PURCHASE A RESTRICTED VEHICLE PLATE AND STICKER FOR CERTAIN VEHICLES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-426, IDAHO CODE, TO PROVIDE A CERTAIN LICENSURE EXEMPTION TO SPECIALTY OFF-HIGHWAY VEHICLES,

TO REQUIRE SPECIALTY OFF-HIGHWAY VEHICLES USED FOR A CERTAIN PURPOSE TO MEET CERTAIN EMBLEM REQUIREMENTS, TO PERMIT POLITICAL SUBDIVISIONS TO MAKE CERTAIN DESIGNATIONS BY RESOLUTION, TO APPLY CERTAIN ROAD CLOSURE PROVISIONS TO SPECIALTY OFF-HIGHWAY VEHICLES, TO REMOVE CERTAIN VEHICLES FROM HIGHWAY CLOSURE RESTRICTIONS, TO PROVIDE FOR THE APPLICATION OF CERTAIN EXISTING AND ADDITIONAL IDAHO CODE CHAPTERS TO THE OPERATION OF CERTAIN VEHICLES, TO PROHIBIT THE OPERATION OF SPECIALTY OFF-HIGHWAY VEHICLES ON CONTROLLED ACCESS HIGHWAYS, TO REMOVE CERTAIN VEHICLES FROM THE APPLICATION OF CERTAIN IDAHO CODE CHAPTERS, TO REVISE THE VEHICLES THAT THE IDAHO TRANSPORTATION BOARD MAY PERMIT TO CROSS DESIGNATED SECTIONS OF STATE HIGHWAYS, TO REMOVE A LICENSING REQUIREMENT FOR CERTAIN VEHICLES THAT MAY BE USED ON CERTAIN LANDS AND TO REVISE THE VEHICLES THAT MAY BE USED ON CERTAIN LANDS; AMENDING SECTION 49-456, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE UNLAWFUL CERTAIN OPERATION OF SPECIALTY OFF-HIGHWAY VEHICLES; AMENDING SECTION 49-948, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 67-7101, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 67-7105, IDAHO CODE, TO PROVIDE ADDITIONAL VEHICLES THAT ARE EXEMPT FROM CERTAIN CHAPTER PROVISIONS; AMENDING SECTION 67-7114, IDAHO CODE, TO PROVIDE CRIMINAL PENALTY FOR THE DRIVING OR OPERATION OF A SPECIALTY OFF-HIGHWAY VEHICLE UNDER CERTAIN INFLUENCES, TO REMOVE AN IDAHO CODE REFERENCE AND TO REVISE TERMINOLOGY; AMENDING SECTION 67-7122, IDAHO CODE, TO PROVIDE FOR REGISTRATION OF A SPECIALTY OFF-HIGHWAY VEHICLE, TO REVISE TERMINOLOGY, TO REVISE WITH WHOM REGISTRATION MUST BE MADE, TO REVISE A REGISTRATION FEE, TO PROVIDE AN EFFECTIVE DATE FOR THE REVISED REGISTRATION FEE, TO REVISE WHO MAY RETAIN A PORTION OF THE REGISTRATION FEE, TO PROVIDE WHEN CERTAIN VEHICLES MUST BE REGISTERED, TO PROVIDE FOR THE PLACEMENT OF A REGISTRATION STICKER ON CERTAIN VEHICLES, TO PROVIDE EXCEPTIONS TO A RESTRICTED VEHICLE LICENSE PLATE REQUIREMENT AND TO PERMIT NONRESIDENTS TO PURCHASE A RESTRICTED VEHICLE LICENSE PLATE AND/OR STICKER FOR CERTAIN VEHICLES; AMENDING SECTION 67-7124, IDAHO CODE, TO REMOVE A TIME REQUIREMENT FOR REGISTRATION OF CERTAIN VEHICLES BY NONRESIDENT OWNERS, TO PROVIDE FOR NONAPPLICATION OF REGISTRATION REQUIREMENTS FOR THE OWNERS OF CERTAIN VEHICLES THAT ARE CURRENTLY AND PROPERLY REGISTERED IN THE STATE OF RESIDENCE, TO REQUIRE THE NONRESIDENT OWNERS OF CERTAIN VEHICLES FROM STATES WITHOUT A REGISTRATION REQUIREMENT TO REGISTER IN IDAHO BEFORE OPERATING THE VEHICLE IN IDAHO, TO PROVIDE USE PRIVILEGES AND RESPONSIBILITIES TO NONRESIDENT OWNERS OF CERTAIN VEHICLES REGISTERED IN ANOTHER STATE; AMENDING SECTION 67-7126, IDAHO CODE, TO REVISE A REGISTRATION FEE AMOUNT AND THE ALLOCATION OF THE FEE AND TO RESTRICT

LIABILITY OF CERTAIN ENTITIES AND EMPLOYEES REGARDING THE USE OF SUCH FEES; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1099
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE

AN ACT

RELATING TO PRODUCER LICENSING; AMENDING SECTION 41-1037, IDAHO CODE, TO PROVIDE LEGISLATIVE FINDINGS AND PURPOSE; AMENDING SECTION 41-1038, IDAHO CODE, TO DEFINE TERMS; AMENDING SECTION 41-1039, IDAHO CODE, TO PROVIDE THAT THE DIRECTOR HAS EXCLUSIVE AUTHORITY TO LICENSE BAIL AGENTS AND TO REGULATE THE SOLICITATION, NEGOTIATION AND TRANSACTION OF BAIL, TO PROVIDE THAT LICENSED BAIL AGENTS ARE AUTHORIZED TO EXECUTE AND COUNTERSIGN BAIL BOND CONTRACTS IN CERTAIN JUDICIAL PROCEEDINGS, TO PROVIDE THAT DISTRICT COURTS SHALL ACCEPT BAIL BOND CONTRACTS ONLY FROM CERTAIN LICENSED BAIL AGENTS AND TO PROVIDE NOTICE REQUIREMENTS; AND AMENDING SECTION 41-1040, IDAHO CODE, TO REVISE PROVISIONS RELATING TO BOND REQUIREMENTS.

S 1100
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE IDAHO VIDEO SERVICE ACT; AMENDING TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 30, TITLE 50, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE FOR FRANCHISING AUTHORITY, USE OF PUBLIC RIGHTS-OF-WAY AND MODIFICATIONS OF EXISTING FRANCHISE AGREEMENTS, TO PROVIDE FEES OF THE SECRETARY OF STATE, TO REQUIRE THE HOLDER OF A CERTIFICATE TO PROVIDE SERVICE WITHIN A CERTAIN PERIOD AND TO PROVIDE FOR REVOCATION OF CERTIFICATE FOR NONCOMPLIANCE, TO PROVIDE CUSTOMER ACCESS TO COMMUNITY PROGRAMMING, TO PROVIDE A VIDEO SERVICE PROVIDER FEE WITH DEFINITIONS, TO PROVIDE FOR NONDISCRIMINATION BY GOVERNMENTAL ENTITIES RELATING TO USE OF PUBLIC RIGHTS-OF-WAY, TO PROHIBIT DISCRIMINATION AMONG POTENTIAL RESIDENTIAL SUBSCRIBERS, TO PROVIDE FOR CUSTOMER SERVICE STANDARDS, TO PROVIDE FOR APPLICABILITY OF OTHER LAW; AND TO PROVIDE SEVERABILITY.

S 1101
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO DRIVING BUSINESSES; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 54, TITLE 54, IDAHO CODE, TO PROVIDE A SHORT TITLE AND DECLARATION OF POLICY, TO DEFINE TERMS, TO CREATE THE DRIVING BUSINESSES LICENSURE BOARD IN THE DEPARTMENT OF SELF-GOVERNING AGENCIES, TO PROVIDE FOR TERMS OF MEMBERS, QUALIFICATIONS, POWERS AND DUTIES, MEETINGS AND COMPENSATION, TO PROVIDE FEES, TO PROVIDE LICENSE REQUIREMENTS FOR DRIVING BUSINESSES, TO PROVIDE REQUIREMENTS FOR

DRIVING INSTRUCTORS, TO PROVIDE CURRICULUM COMPONENTS FOR DRIVING BUSINESSES, TO PROVIDE FOR DISCIPLINARY ACTIONS AND TO PROHIBIT CERTAIN ACTS; AND AMENDING SECTION 67-2601, IDAHO CODE, TO CREATE THE CERTIFIED SHORTHAND REPORTERS BOARD AND THE DRIVING BUSINESSES LICENSURE BOARD IN THE DEPARTMENT OF SELF-GOVERNING AGENCIES.

[S 1086](#), [S 1087](#), [S 1088](#), [S 1089](#), [S 1090](#), [S 1091](#), [S 1092](#), [S 1093](#), [S 1094](#), [S 1095](#), [S 1096](#), [S 1097](#), [S 1098](#), [S 1099](#), [S 1100](#), and [S 1101](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 30](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 80](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 1](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 66](#) and [H 67](#), by Appropriations Committee, were read the second time at length and filed for third reading.

[S 1073](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1053](#), [S 1055](#), and [S 1061](#), by Transportation Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Corder, granted by unanimous consent, [S 1060](#) was referred to the Fourteenth Order of Business, General Calendar.

[S 1046](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Jorgenson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Goedde, Sagness (Malepeai). Total - 2.

Total - 35.

Whereupon the President declared [S 1046](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1067](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Goedde, Sagness (Malepeai). Total - 2.

Total - 35.

Whereupon the President declared [S 1067](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1068](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Goedde, Sagness (Malepeai). Total - 2.

Total - 35.

Whereupon the President declared [S 1068](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1069](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Goedde, Sagness (Malepeai). Total - 2.

Total - 35.

Whereupon the President declared [S 1069](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1050](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Goedde, Sagness (Malepeai). Total - 2.

Total - 35.

Whereupon the President declared [S 1050](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1065](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator LeFavour arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Andreason, Bair, Bilyeu, Bock, Brackett, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, LeFavour, Lodge, McGee, McKague, McKenzie, Mortimer, Pearce, Schroeder, Siddoway, Smyser, Stegner, Thorson (Stennett), Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Goedde, Sagness (Malepeai). Total - 2.

Total - 35.

Whereupon the President declared [S 1065](#) passed, title was approved, and the bill ordered transmitted to the House.

The Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Stegner to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Stegner, Chairman of the Committee of the Whole, reported out [S 1005](#) and [S 1006](#), without recommendation, amended as follows:

SENATE AMENDMENT TO S 1005

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 25, following "conduct" insert: "as defined in section 18-1507, Idaho Code".

SENATE AMENDMENT TO S 1006

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 19, following "children" insert: "provided that none of the provisions of this section shall be construed as modifying the provisions of chapter 6, title 11, Idaho Code, chapter 10, title 55, Idaho Code, or section 72-802, Idaho Code".

The Committee also has [S 1051](#) and [S 1056](#) under consideration, reports progress, and begs leave to sit again.

Stegner, Chairman

On motion by Senator Stegner, seconded by Senator Werk, the report was adopted by voice vote.

[S 1005](#), as amended, and [S 1006](#), as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Kelly, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10:30 a.m., Monday, February 16, 2009.

BRAD LITTLE, President

Attest: JEANNINE WOOD, Secretary